

MTC 6638.7 (39-21(51753)B)
PATENT

REMARKS

Applicant respectfully requests entry of the above amendment. This amendment is being submitted with a petition to withdraw the above-identified application from issue under C.F.R. § 1.313(c)(2) and with a Request for Continued Examination (RCE) under 37 C.F.R. §1.114. Applicant understands that the Amendment under Rule 1.312 submitted on January 27, 2005 has not been entered. Accordingly, this amendment is intended to supercede the Amendment under Rule 1.312. This amendment includes all the amendments under the Rule 1.312 amendment and further adds new claims 174-176.

Claim 14 depends from claim 8 which depends from claim 1. As such, the phrase "the particles of which have the structure of claim 2" is redundant, and has been deleted from claim 14. Therefore, claim 14 is novel, non-obvious and has utility as previously allowed claim 14 and no additional search or exam is necessary.

Claim 16 previously depended from claim 8. Amended claim 16 depends from claim 15, which depends from claim 8. Amended claim 16 is narrower in scope than previous claim 16, as it includes all the limitations of claims 15 and 8. Support for claim 16 depending from claim 15 can be found in the specification, for example, at page 10, line 13 to page 11, line 6. Therefore, claim 16 is novel, non-obvious and has utility as previously allowed claim 16 and no additional search or exam is necessary.

Claim 17 previously depended from claim 8. Amended claim 17 depends from claim 16, which depends from claim 15, which depends from claim 8. Amended claim 17 is narrower in scope than previous claim 17, as it includes all the limitations of claims 16, 15, and 8. Support for claim 17 depending from claim 16 can be found in the specification, for example, at page 35, lines 21-

MTC 6638.7 (39-21(5175))B)
PATENT

24. Therefore, claim 17 is novel, non-obvious and has utility as previously allowed claim 17 and no additional search or exam is necessary.

Claim 18 depends from claim 17. Claim 18 has been amended to be consistent with the language of claim 17 by adding the phrase "or a salt thereof." Support for claim 18 can be found in the specification, for example, at page 35, lines 26-28. Therefore, claim 18 novel, non-obvious and has utility as previously allowed claim 18 and no additional search or exam is necessary.

Claim 22 depends from claim 19 which depends from claim 2. As such, the phrase "the particles of which have the structure of claim 2" is redundant, and has been deleted from claim 22. Therefore, claim 22 is novel, non-obvious and has utility as previously allowed claim 22 and no additional search or exam is necessary.

New claims 169-173 have the same text as claims 32-36 and 174-176 have the same text as claim 32. Claims 169-176 depend from claim 8 whereas claims 32-36 depend from claim 19. Support for new claims 169-176 depending from claim 8 may be found in the specification, for example, at page 16, line 11 to page 17, line 26. Since new claims 169-176 depend from previously allowed claim 8, they are narrower in scope than allowed claim 8, as each of claims 169-176 include all the limitations of claims 8. Therefore, claims 169-176 are novel, non-obvious and have utility as previously allowed claim 8 and no additional search or exam is necessary.

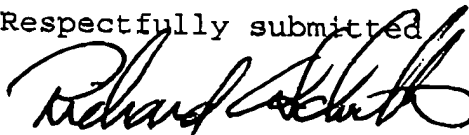
MTC 6638.7 (39-21(51753)B)
PATENT

CONCLUSION

For the reasons stated above, entry of the above amendment is respectfully requested.

The Commissioner is hereby authorized to charge any fee in connection with this amendment to Deposit Account Number 19-1345.

Respectfully submitted



Richard A. Schuth, Reg. No. 47,929
SENNIGER POWERS
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

RAS/JXM/lam
Enclosures